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Attorneys for Defendants Encore Capital  
Group, Inc., Midland Funding, LLC, and  
Midland Credit Management, Inc.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON AT SPOKANE

KELLI GRAY, and all other similarly  
situated,

Plaintiffs,

v.

SUTTELL & ASSOCIATES, *et. Al.*

Defendant.

EVA LAUBER, DANE SCOTT, SCOTT  
BOOLEN, JOEL FINCH and all other  
similarly situated,

Plaintiffs

v.

ENCORE CAPITOL GROUP, INC., *et. al.*

Defendant

**Case No. 2:09-cv-251-EFS**

**(CONSOLIDATED CASE)**

**JOINT STATUS REPORT  
REGARDING AMENDED  
SCHEDULING ORDER**

Pursuant to this Court's Order and instruction, the Plaintiffs, through counsel  
Michael Kinkley, Scott Kinkley, and Kirk Miller, the defendants, Encore Capitol  
Group, Inc., Midland Funding, LLC, and Midland Credit Management, Inc., through

1 their respective counsel John D. Munding, and the defendants, Suttell & Associates,  
2 through their respective counsel Carl Hueber, submit this Joint Status Report for  
3 purposes of amending the present case Schedule Order.

4 **1. Motion to Amend Complaint.**

5 Plaintiffs may file a motion to amend the present Complaint by June 29, 2012.  
6  
7 Defendants oppose any amendments to any of the pleadings.

8 **2. Discovery Cutoff.**

9 All discovery, including depositions and perpetuation depositions, shall be  
10 completed by August 31, 2013 ("Discovery Cutoff"). The parties shall not file  
11 discovery on CM/ECF except those portions necessary to support motions or  
12 objections.  
13  
14

15 **3. Requested Trial Dates.**

16 The parties estimate the need for a five (5) day bench trial. The Plaintiffs  
17 suggest a trial date between the second week of September 2013 and the 3<sup>rd</sup> week of  
18 October 2013. The Defendants would propose a later trial date sometime after  
19 November 1, 2013 or January 2014.  
20

21 **4. Pretrial Procedure.**

22 The parties respectfully request that the Court set dates for pretrial motions,  
23 joint proposed pretrial order, and a pretrial conference to correspond with the new trial  
24 date, similar to this Court's prior Scheduling Order (ECF No. 18).  
25  
26

1 DATED this 13<sup>th</sup> day of April, 2012.

2  
3 CRUMB & MUNDING, P.S.

WINSTON & CASHATT, LAWYERS,  
A Professional Service Corporation

5 /s/ John D. Munding

/s/ Carl E. Hueber

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13 MICHAEL D. KINKLEY P.S.

MICHAEL D. KINKLEY P.S.

14 s/Michael D. Kinkley

s/Scott M. Kinkley

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1 **CERTIFICATE OF SERVICE**

2 I, Ashley M. Woods, the undersigned, hereby certify that on April 13, 2012, I  
3 electronically filed the foregoing document with the Court using the Court's CM/ECF  
4 system, which will send notification of such filing to the following persons:  
5  
6

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17  
18  
19 Dated this 13<sup>th</sup> day of April, 2012.  
20

21 /s/ Ashley M. Woods  
22 ASHLEY M. WOODS  
23  
24  
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